

M/035/0042
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RECEIVED
AUG 11 2016
DIV. OF OIL, GAS & MINING

BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

IN THE MATTER OF TENTATIVE
DECISION TO APPROVE A LARGE
MINING AND RECLAMATION PLAN FOR
STAKER PARSON COMPANIES, BEEF
HOLLOW FACILITY, SALT LAKE
COUNTY, UTAH

**PROTEST AND OBJECTION TO
NOTICE OF TENTATIVE DECISION
TO APPROVE**

NO.M/035/0042

Jordan Valley Water Conservancy District (“Jordan Valley”) hereby protests and objects to the Division of Oil Gas and Mining’s (the “Division”) tentative decision to approve the Large Mining Operations Notice of Intention for the Beef Hollow Facility.

Jordan Valley received the Division’s Notice of Tentative Decision to Approve Large Mining Operations NO.M/035/0042 on July 20, 2016 (the “Notice”). According to the Notice, Staker Parsons Companies (“Staker Parsons”) and/or its agents and assignees, seek approval to mine and blast on property owned by Wasatch South Hills Development Company (“Wasatch South”) located in Herriman, Utah. Jordan Valley protests and objects to any blasting and mining for the reasons set forth below.

Jordan Valley owns (along with the Metropolitan Water District of Salt Lake & Sandy) and operates the Jordan Valley Water Treatment Plant (the “Plant”) also situated in Herriman.

Jordan Valley objects to any sort of blasting or excavation on, or anywhere near, the property line(s) of Parcel 10 and 19 until and if certain inspection and testing occurs in order to protect the Tank. Jordan Valley believes the only way to determine how the blasting affects the Tank is as follows:

- Drain the Tank (which can only be done in winter, when the demand for water is lowest)
- Perform inspections and testing inside and around the Tank by structural and geotechnical engineers, including at least video inspection and condition assessment, establishing a “baseline”
- Conduct a leak test (closing all valves and monitoring the level over time)
- Install seismic sensors around the Tank
- Repeat the inspections and testing following any blasting in the vicinity of the Tank.

Any such inspections must include a determination of how close blasts may occur without damaging the Tank. Given the potential for severe consequences from damage to the Tank, any and all expenses related to testing, inspection and monitoring must be at no cost to Jordan Valley.

Until these issues are resolved, Jordan Valley requests that the Division reject and deny any request to blast and mine on the property as described in the Notice.

DATED this 11th day of August, 2016.

RAY QUINNEY & NEBEKER P.C.

/s/Matthew Evans
Matthew N. Evans
*Attorneys for Jordan Valley Water
Conservancy District*

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of August, 2016, I filed the foregoing **PROTEST AND OBJECTION TO NOTICE OF TENTATIVE DECISION TO APPROVE** with the Division of Oil, Gas and Mining Department of Natural Resources and sent a true and correct copy via U.S. First Class Mail to the following:

Dana Dean
Associate Director
State of Utah Dept of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116

Salt Lake Tribune
Legal Department
90 South 400 West, Suite 700
Salt Lake City, Utah 84101

Staker Parson Companies
89 West 13490 South, Suite 100
Draper, Utah 84020

State of Utah
675 East 500 South, Suite 500
Salt Lake City, Utah 84102

Janet Criner & Douglas Wheadon
2789 West 10000 South
South Jordan, Utah 84095

Bank of Utah
2605 Washington Boulevard
Ogden, Utah 84401

Trustee of Jack W. Kunkler Trust A
Attn: Craig A Standing
200 East South Temple, Suite 210
Salt Lake City, Utah 84111

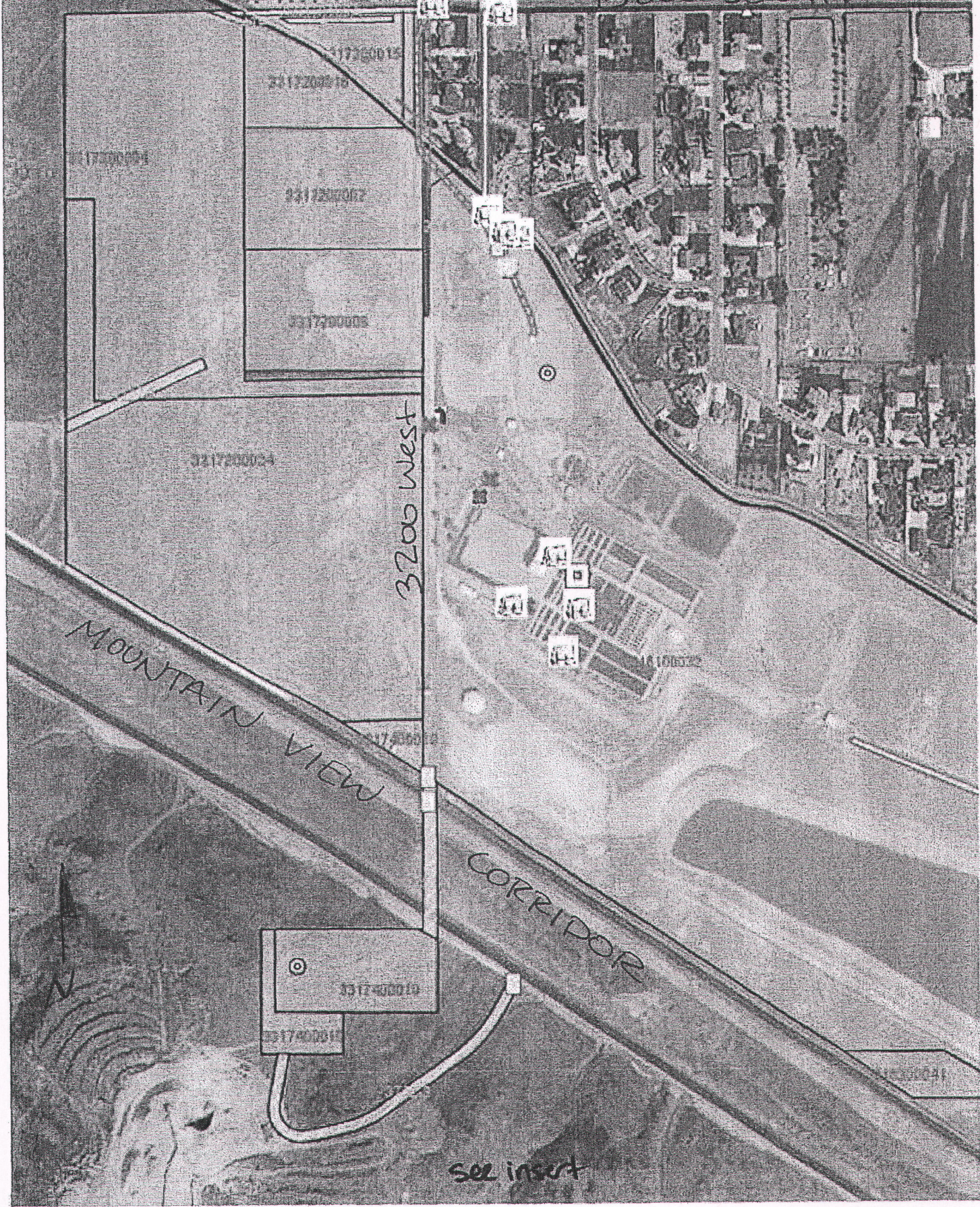
PO Box 70
West Jordan, Utah 84084

Utah Department of Transportation
PO Box 148240
Salt Lake City, Utah 84144

OVERVIEW

MAP

1500 S SOUTH



SITE MAP

